

APR 30 2009

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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

EDWARD J. EGAN,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

Case No. 7:09CV00145

FINAL ORDER

By: Glen E. Conrad
United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ORDERED

that the petition for a writ of coram nobis, which the court construes as a petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED** as successive, petitioner's motion to proceed in forma pauperis is **DISMISSED** as moot, and this action is stricken from the active docket of the court.

ENTER: This 30th day of April, 2009.

Jack Conrad

United States District Judge